

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MOUSSA OUEDRAOGO, and KENNETH CHOW, X  
individually and on behalf of others similarly  
situated, :

Plaintiff, :

-against- :

A-1 INTERNATIONAL, INC. :  
f/k/a A-1 International Courier Service, Inc., :  
SUBCONTRACTING CONCEPTS, LLC d/b/a SCI, :  
RONALD DESENA, an individual, :  
JOHN V. RUTIGLIANO, an individual, :  
JAVIER REYES, an individual, :  
ROBERT LEFEBVRE, an individual, and :  
ROBERT SLACK, an individual, :

Defendants. :

X

Civil Action No.: 1:12-CV-5651

**DECLARATION OF JOSEPH M.  
DEFAZIO IN SUPPORT OF RULE  
12(c) MOTION TO DISMISS AND  
COMPEL ARBITRATION**

Pursuant to 28 U.S.C. § 1746, Declarant Joseph Michael DeFazio, of legal age, states as follows:

1. I am an attorney at Segal McCambridge Singer & Mahoney, Ltd. and represent Subcontracting Concepts, LLC and Robert Slack (“SCI”) in the above captioned case. As such, I am fully familiar with the facts and circumstances surrounding this action by virtue of the file maintained by this office. As such, I am fully familiar with all pleadings and proceedings.

2. This declaration along with the memorandum of law is filed in support of Defendant, SCI’s Rule 12(c), Motion to Dismiss and Compel Arbitration.

Filed herewith are true and accurate copies of the following documents:

Exhibit “1”: A Copy of Owner/Operator Agreement Signed by Plaintiff, Adelsio Espinal dated March 20, 2013, Plaintiff, Epifanio De Jesus dated March 6, 2012, and Plaintiff, Derick James dated December 17, 2012.

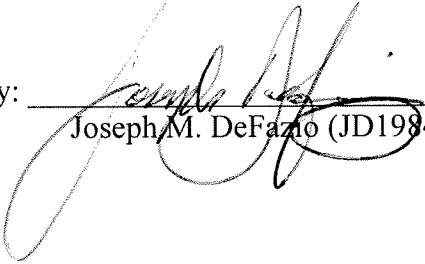
Exhibit “2”: A Copy of SCI’s President and CEO, Robert Slack, signed and notarized Declaration in support of SCI’s Motion to Dismiss and Compel Arbitration.

Exhibit "3": A Copy of the Independent Contractor Acknowledgment Form signed by Plaintiff, Adeldo Espinal dated May 20, 2013, Plaintiff, Epifanio De Jesus dated June 13, 2012 and Plaintiff, Derick James dated January 3, 2013.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 7, 2013

By: \_\_\_\_\_

  
Joseph M. DeFazio (JD1984)